
Illinois Commerce Commission On its Own Motion)	
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Investigation Concerning Illinois Bell Telephone)	Docket No.: 01-0662
Company's compliance with Section 271 of the)	
Telecommunications Act of 1996)	

AFFIDAVIT OF A. OLUSANJO OMONIYI

POLICY ANALYST

TELECOMMUNICATIONS DIVISION

ILLINOIS COMMERCE DIVISION

Dated: February 21, 2003

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I INTRODUCTION

I, A. Olusanjo Omoniyi, being of lawful age and duly sworn upon my oath, do hereby depose and state as follows:

1. My name is A. Olusanjo Omoniyi. My business address is 527 East Capitol Avenue, Springfield, Illinois 62701. I am employed by Illinois Commerce Commission (the "Commission") in the position of Telecommunications Policy Analyst.

II. EDUCATION AND BACKGROUND

2. I graduated from Southern Illinois University at Carbondale with a Bachelor of Arts degree in Cinema & Photography and Bachelor of Science degree in Radio-Television in 1987. In 1990, I obtained a Master of Arts degree in Telecommunications and a Juris Doctor degree in 1994, also from Southern Illinois University at Carbondale. I am licensed to practice before the Supreme Court of Illinois, United States District Court, Southern District of Illinois and United States Court of Appeals for the Seventh Circuit.
3. I have been involved in various aspects of the telecommunications industry for over a decade including Internet development, systems integration, broadcasting, long-distance telephone service resale and telecommunications practice. I have been the owner, part owner and legal advisor for an Internet access provider. I was one of the original founders of Internet Developers Association (IDA), which has now metamorphosed

into the Association of Internet Professionals (AIP). I have been co-founder and part owner of Bizhelp Services, a computer systems integration and Internet development business.

4. Prior to my employment at the Commission I was a reseller of pre-paid calling cards for Southern New England Telephone Company and an agent of a long distance telephone services reseller, TTE of Baltimore, Maryland, between 1996 and 1998. Upon my employment with the Commission, I divested all interests in telephony businesses, telecommunications-related law practice and removed all my business websites in order to avoid any conflict of interests. Over the years I have educated myself about the telecommunications industry through various sources such as the National Exchange Carrier Association, the national trade association for common carriers; operations of major telephone companies like Ameritech Illinois-Southwestern Bell, GTE, AT&T and BellSouth; information from the independent consulting firms such as the Aberdeen Group, Boston Consulting Group, Frost & Sullivan, The Precursor Research[®], PriceWaterhouse, nowComm and The Strategis Group, and their various independent consulting reports; etc. In addition, I have followed both state and federal regulations of the telecommunications industry. Finally, I am a member of a number of telecommunications professional associations including the Giga

Information Group ExperNet and Federal Communications Bar
Association.

III. PURPOSE OF AFFIDAVIT

5. This affidavit addresses two issues. First, I will evaluate the Performance Measurements results on collocation services provided by SBC Illinois to CLECs between September and November 2002 as part of Phase 2 of this docket. Also, I will review the information provided by SBC Illinois regarding the performance measures, benchmarks, measurement types and overall performance results on the issue. In addition, I will then explain the basis for classifying each performance measure as pass or fail. Second, I will address the issue of SBC Compliance on the issue of with which is Phase 1A of this docket

IV. COLLOCATION PERFORMANCE MEASUREMENTS

6. There are three collocation performance measurements in this proceeding: 107, 108 and 109. For the purpose of this Affidavit, I relied on terms, description, data and other information from the following sources:
 - a) Ameritech (now SBC Illinois) Tariff ILL. C.C. No. 20, Part 2, Section 11¹;

¹ Ameritech (now SBC Illinois) Tariff ILL. C.C. No. 20, Part 2, Section 11, Original Sheet Nos. 320-325, 351-2, Effective April 12, 2002, (Ameritech Tariff).

- b) Attachment JDE-B to Affidavit of James D. Ehr, SBC Illinois' Performance Measurements Tracking Report (DOJ), Collocation Section on p. 286-290²; and.
- c) Attachment JDE-D to Affidavit of James D. Ehr, Performance Results – Hit or Miss Report – SBC Illinois- Checklist Item One – *Interconnection*³.

A. PERFORMANCE MEASUREMENT 107

- 7. Performance Measurement (PM) 107 examines the Percent of Missed Collocation Due Dates. It refers to the percentage of SBC Illinois caused missed due dates for CLEC collocation projects. The measurement has no exclusion.⁴
- 8. The operating business rules for PM 107 state that, the clock starts when SBC Illinois receives, in compliance with the Commission Order, approved interconnection agreement or effective tariff, whichever is applicable, payment and return of proposed layout for space as specified in the application form from the CLEC. The clock stops when the CLEC receives notice in writing or other method agreed to by the parties that the collocation arrangement is completed and ready for CLEC occupancy⁵.

² Attachment JDE-B to Affidavit of James D. Ehr, SBC Illinois' Performance Measurements Tracking Report (DOJ), Collocation Section on p. 286-290, filed on January 17, 2003. (Attachment JDE-B).

³ Attachment JDE-D to Affidavit of James D. Ehr, Performance Results – Hit or Miss Report – SBC Illinois- Checklist Item One – *Interconnection*, filed on January 17, 2003 (Attachment JDE-D).

⁴ Ameritech Tariff, Original Sheet No. 320.

⁵ Ameritech Tariff, Original Sheet No. 321.

9. The collocation performance measures are disaggregated into nine sub-measures on the basis of the following types of collocation arrangement:

- a) Caged – PM 107-01
- b) Shared Caged – PM 107-02
- c) Caged Common – PM 107-03
- d) Cageless – PM 107-04
- e) Adjacent On-site – PM 107-05
- f) Adjacent Off-site – PM 107-06
- g) Augments to Physical Collocation – PM 107-07
- h) Virtual – PM 107-08
- i) Augments to Virtual – PM 107-09⁶

10. Calculation of each sub-measure was based on the following formula:

(Count of Number SBC Illinois Met Due Dates for Collocation Facilities
divided by Total Number of Collocation Projects) multiply by 100.⁷

11. Each of the performance sub-measures results is then evaluated against preset 95% benchmark standard. This means that SBC Illinois must fulfill its collocation obligations to the CLECs by completing 95% of the collocation projects within their due dates in each month before it can pass

⁶ Ameritech Tariff, Original Sheet No. 322.

⁷ Ameritech Tariff, Original Sheet No. 322.

this measure. Damages and assessments are then calculated based on the number of days late. The critical z-value does not apply.⁸

12. According to the Performance Measurement Tracking Report (DOJ) data provided by SBC Illinois for the three months under review in this proceeding, there was no activity in five sub-measures: PM 107-02, PM 107-03, PM 107-05, PM 107-06 and PM 107-07. Thus, no data is available for those five sub-measures.⁹

13. However, SBC Illinois' Performance Measurement Tracking Report (DOJ) data shows four sub-measures with recorded activities, PM 107-01, PM 107-04, PM 107-08 and PM 107-09.¹⁰

14. According to SBC Illinois' Performance Measurement Tracking Report (DOJ) data, there were three Caged collocation projects between September and November 2002, PM 107-01.¹¹ Also, there were four Cageless collocation projects between September and November 2002 for PM 107-04.¹² Further, there were sixty-six Augments to Physical collocation projects between September and November 2002, PM 107-08.¹³ While there were two Augments to Virtual collocation projects from September to November 2002, PM 107-09.¹⁴

⁸ Ameritech Tariff, Original Sheet No. 322.

⁹ Attachment JDE-B, p. 286-288.

¹⁰ Id.

¹¹ Attachment JDE-B, p. 286

¹² Id.

¹³ Id. at 288

¹⁴ Id.

15. Upon review of Performance Measurement Tracking Report (DOJ) data and Illinois Performance Measures – Hit or Miss Report –SBC Illinois - Checklist Item One - *Interconnection* for PM 107-01, PM 107-04, PM 107-08 and PM 107-09 sub-measures, SBC Illinois overall performance result for any of the months was found to be 100%.¹⁵ Thus, SBC Illinois meets the 95% benchmark standard. Conclusively, the overall performance result for each of the four sub-measures is a pass.

B. PERFORMANCE MEASUREMENT 108

16. Performance Measurement 108 examines the Percent of Average Delay Days for SBC Illinois Missed Due Dates.¹⁶ It refers to the percentage of SBC Illinois caused missed due dates for completing collocation activities. PM 108 is interrelated with PM 107. The measurement has no exclusion.¹⁷

17. The operating business rules for PM 108 state that, the clock starts when SBC Illinois receives an accurate and complete application form for space from the CLEC and the clock stops when the collocation space is turned over to the CLEC for occupancy at the walk-through.¹⁸

18. The collocation performance measures are disaggregated into four sub-measures on the basis of the individual types of collocation arrangement:

a) Physical – PM 108-01

¹⁵ Attachment JDE-D, p. 1

¹⁶ Ameritech Tariff, Original Sheet No. 323.

¹⁷ Id.

¹⁸ Id.

- b) Virtual – PM 108-02
- c) Cageless – PM 108-03
- d) Additions – PM 108-04¹⁹

19. Calculation of each sub-measure was based on the following formula: The Sum of (Date Collocation Work Completed minus Collocation Due Date) divided by SBC Illinois Caused Missed Collocation Completions.²⁰

20. Each of the performance sub-measures results is supposed to be evaluated on the parity benchmark standard.²¹ That is, the percentage of SBC Illinois caused missed due dates to CLECs is compared with missed due dates to SBC Illinois affiliate.

21. According to the performance data provided by SBC Illinois for the three months under review in this proceeding, September to December 2002, for PM 107-01, PM 107-04, PM 107-08 and PM 107-09 SBC Illinois completed all CLEC collocation projects within the due dates.²² Consequently, there was no activity in any of the entire four sub-measures in PM 108 (Average Delay Days for SBC Illinois Missed Due Dates).²³ Thus, there was no data to report for any of the four sub-measures.

¹⁹ Id.

²⁰ Id. at 324.

²¹ Id.

²² Attachment JDE-D, p.1-2.

²³ Id.

C. PERFORMANCE MEASUREMENT 109

22. Performance Measurement 109 examines the Percent of Requests Processed Within the Established Timelines.²⁴ It refers to the percentage of requests for collocation facilities processed by SBC Illinois within the established timelines. The measured timelines exclude weekends and holidays.²⁵
23. The operating business rules for PM 109 state that, the clock starts when SBC Illinois receives the application. The clock stops when SBC Illinois responds back to the application request with a quote See, FCC Order 99-48 (706 Collocations Requirements).²⁶
24. The collocation performance measures are disaggregated into four sub-measures on the basis of the individual types of collocation arrangement:
- a) Physical – PM 109-01
 - b) Virtual – PM 109-02
 - c) Cageless – PM 109-03
 - d) Additions – PM 109-04²⁷
25. Calculation of each sub-measure is based on the following formula: (The Number of Requests processed within the timeline divided by Total Requests) multiply by 100.²⁸

²⁴ Ameritech Tariff, Original Sheet No. 325.

²⁵ Id.

²⁶ Id.

26. Each sub-measure performance evaluation is based on a 90% parity benchmark standard.²⁹ Succinctly, under the parity standard, SBC Illinois' service to the CLECs is compared against the service SBC Illinois offered to its affiliate.³⁰ This means that SBC Illinois must fulfill its collocation obligations by processing collocation requests from the CLECs within same timelines as it does for its affiliates, for at least 90% of collocation requests received.

27. According to the Performance Measurement Tracking Report (DOJ) data provided by SBC Illinois, there was no activity in PM 109-02 during the months of September to November.³¹ Thus, there was no opportunity for SBCI to either meet or to fail this measure.

28. According to the Performance Measurement Tracking Report (DOJ) data, there were two requests for Physical Collocation Facilities between September and November 2002 for PM 109-01.³² Also, there were 101 requests for Additions to Collocation Facilities between September and November 2002 for PM 109-03.³³ There also were six requests for Cageless Collocation Facilities between September and November 2002 for PM 109-04.³⁴

²⁷ Id.

²⁸ Id.

²⁹ Id.

³⁰ Id.

³¹ Attachment JDE-B, p. 290.

³² Id.

³³ Id.

³⁴ Id.

29. Furthermore, according to SBC Illinois' Performance Measures – Hit or Miss Report -SBC Illinois - Checklist Item One - *Interconnection* data, SBC Illinois completed all CLEC requests for cageless collocation within the established timelines for each month.³⁵ The two requests received for Physical Collocation facilities, PM 109-01, were completed 100% within the established timelines, as were all six requests received for Cageless Collocation facilities, PM 109-04.³⁶ In addition, the performance for PM 109-03 shows that 100 out of 101 requests for Additions to collocation facilities were processed within the established timelines, a 97.92% completion.³⁷ SBC Illinois overall performance result for each of PM 109 sub-measures was well over 90% parity benchmark. Therefore, SBC Illinois passes PM 109.³⁸

V. PHASE 1 – COMPLIANCE

A. STATE COLLOCATION REQUIREMENTS

30. The state collocation requirements were addressed in Docket 01-0614 with which SBC Illinois was directed to file compliance tariff.³⁹ This issue deals specifically with the types of equipment for interconnection or access to network elements that SBCI is required to allow the competitive local exchange carriers (CLECs) to install in SBCI's premises. The

³⁵ Id.

³⁶ Id.

³⁷ Id.

³⁸ Attachment JDE-D, p. 2.

³⁹ See 01-0662 Phase 1 Order, para. 289.

Commission ordered that SBC Illinois must allow CLECs to collocate “any type of equipment for interconnection or access to network elements” at its premises “on just, reasonable and non-discriminatory rates.”⁴⁰

Accordingly, the Commission directed SBCI to file a compliance tariff in accordance with its Order.⁴¹ Based on the information available, SBCI has filed a compliance tariff addressing this issue.⁴²

31. Therefore, the compliance issue in the instant docket, is whether SBC Illinois has complied with the Commission’s Order by allowing “CLECs to collocate any type of equipment for interconnection or access to network elements at its premises on just, reasonable and non-discriminatory rates.”

32. Staff cannot confirm at this time if SBCI is in compliance. However, a Data Request has been sent to SBCI to obtain information that could clarify the issue of SBCI’s compliance.⁴³

B. ALL EQUIPMENT LIST (AEL)

33. This issue relates to compliance with the Commission Order in Docket 99-0615, which mandates SBCI to list on its website all safety-compliant equipment that CLECs can collocate in its premises.⁴⁴ Also, SBCI is mandated to update the list either on quarterly basis or immediately new

⁴⁰ See 01-0614 para. 41.

⁴¹ See 01-0614, para. 612.

⁴² See ILL C.C. NO. 20, Part 23, Section 4, 5th Revised Sheet No. 1.2, Effective July 12, 2002.

⁴³ Staff Data Request AOO-1.0 was sent to SBCI’s Counsel Mark Ortlieb, on February 21, 2003.

⁴⁴ Order 01-0662 Phase 1, paras. 1772-9.

equipment is added. Specifically, the Commission directed in its Phase 1 Order in this docket that to comply with 99-0615, SBCI “must, in some fashion, mark off, code or otherwise” on the AEL all safety-compliant equipment in SBC Illinois’ premises only.”⁴⁵

34. On February 21, 2003, Staff reviewed SBCI’s website and found the AEL posted pre-dates the Commission’s Phase 1 Order issued on February 6, 2003, and thus, is not in compliance with the Commission’s mandates. This is not unexpected, given the short time frame involved. However, it is clear that SBCI will have to make changes to its AEL. Staff requests that in its responsive affidavits in this proceeding SBCI inform the Commission of the changes the Company will be making to bring the AEL into compliance with the Phase 1 Order and when SBCI expects such compliance to be completed..

VI. CONCLUSION

35. Based on my review of these three performance measurements and their accompanying data, SBC Illinois’ performance for both PM107 and PM109 met their respective preset benchmark standards. In addition, since SBC Illinois did not miss collocation due dates for PM 107, there were no “delay days” that could be reported for PM 108.

⁴⁵ Id. at 1778.

36. With regards to the compliance, Staff cannot determine if SBC has complied with the requirements of state collocation requirements mandated by the Commission in Docket 01-0614. SBCI's responses to a pending Staff Data Request on this issue will aid Staff in determining whether SBCI is in compliance.
37. Finally, SBCI has not yet complied with the recently clarified requirements to post on its website a safety-compliant equipment, all equipment list . SBCI should state its intent to comply with the Phase 1 Order and the actions it intends to take to achieve compliance in its responsive affidavits in Phase 2 of this proceeding. This will allow LECs to discern the types of safety-compliant equipment they can collocate in SBCI's premises.